

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

B.J.S., on behalf of N.S., a child with a disability,
v.

ORDER
08-CV-513A

The State Education Department/
The University of the State of New York,
Paul R. Kelly, State Review Officer,
Richard P. Mills, Commissioner of Education, and
Springville-Griffith Institute Central School
District Board of Education,

Defendants.

This case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(A). On May 27, 2011, the School District defendant filed a motion for summary judgment. On August 31, 2011, Magistrate Judge Foschio filed a Report and Recommendation, recommending that the defendant School District's motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, the defendant School District's motion for summary judgment is granted. The Clerk of Court shall close this case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: September 19, 2011